



REQUEST TO EMERGENCY COMMISSION
SECRETARY OF STATE
(See SFN 02580)

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SEC. OF STATE

Requestor Information

Department name: ND Department of Water Resources

Department number: 770

Name of contact person: Aaron Carranza - Regulatory Division, Chris Bader - Water Appropriation Division

Telephone number: (701) 328-2750

Purpose of Request

Is this request related to a state emergency? No

Purpose of request: Intra-agency line item transfer

From Line Item	To Line Item	Amount
Line 77063 - General water grants	Line 77010 - Salaries and Wages	\$392,500
Line 77063 - General water grants	Line 77050 - Capital Improvements	\$60,000

Background Information

Was any portion of the request presented during the previous legislative session? No

Is the request for a new program? No

Does the request require an FTE increase? Yes

Number of FTEs: 3

Does the request conform with legislative intent? Yes

Provide explanation:

The ND Legislature has identified the Department of Water Resources as the agency responsible for multiple water resource regulatory and management authorities. North Dakota's Dam Safety Program, water appropriation management and development, and water resource project management and determination have all experienced a need for additional resources. From new dam safety inspection equipment that contains modern technology to enable sound decision making while keeping agency staff safe, to three additional FTEs to allow more informed and expeditious reviews of incoming projects that currently exceed agency bandwidth, the Department of Water Resources' emergency request will result in more efficient and responsive governance.

Other Information

Statutory provisions that relate to this request:

The Department of Water Resources has oversight and regulatory authorities over many water resource-related statutes. The Regulatory and Water Appropriation Divisions of the Department of Water Resources administer the following programs:

- a. Stream Crossing Determination – N.D.C.C. § 24-03-08
- b. Watercourse Determination – N.D.C.C. § 61-01-06
- c. Dam Safety – N.D.C.C. §§ 61-03-13, 61-03-21.2, and 61-16.1-38
- d. Water Appropriation – N.D.C.C. ch. 61-04
- e. Construction Permit Application – N.D.C.C. § 61-16.1-38
- f. Construction Complaint or Appeal – N.D.C.C. §§ 61-16.1-53 and 61-16.1-53.1
- g. Drainage Permit Application – N.D.C.C. § 61-32-03
- h. Drainage Complaint or Appeal – N.D.C.C. §§ 61-32-07 and 61-32-08



Provide an explanation as to how the request supports state priorities, improves state efficiencies, and promotes effective state government:

The operating request is for a replacement rover for dam safety inspections. The new rover enables inspections of critical dams in the state while maintaining agency staff safety. Modern technology will improve inspection utility.

Two of the FTEs would go to support the agency's responsibility to administer, manage, and appropriate ND's water resources. The first FTE would support the expanding PRESENS program, which has been developed by the agency to provide real-time data monitoring solutions to support sustainable state water resource use. The second FTE would support water permit requests and associated activity backlog to help move reviews through the agency process more expeditiously.

The last FTE would go to support the agency's responsibilities to administer multiple public safety, life safety, and water management authorities. Increased review demand has exceeded agency bandwidth.

The new FTEs will result in more efficient and effective state government.

Provide any other relevant information:

While this is an emergency request for FTEs, if approved by the 68th legislative assembly, these three FTEs will play an instrumental role moving forward in how the agency is able to provide long-term sustainable solutions to the increased workloads surrounding the water development, water appropriation, and water management review authorities of the agency.

Coupled with the increased workloads is a need for better data. The new rover's updated technology will enhance dam inspections and provide a more comprehensive and efficient review process to the agency. The expanding PRESENS program is vital to ensure the sustainable use and management of North Dakota's waters. In the areas of the state reaching full appropriation levels, the need for real-time information to make sustainable development recommendations cannot be overstated. The need for a dedicated FTE to oversee the PRESENS expansion is paramount to match expansion and methodologies with state needs.

Signature

☒ I, the undersigned, have read this Request, know the contents, and believe the statements contained within to be true.

Aaron Carranza

03/16/2022

Sign Here

Date